

## Message Text

SECRET

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73

ACTION SS-25

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R 181128Z MAR 75

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 3799

INFO AMEMBASSY PHNOM PENH

CINCPAC HONOLULU

COMUSSAG 7 AF NKP THAILAND

SECDEF WASHDC

S E C R E T SAIGON 3078

EXDIS MIL ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS

TAGS: MASS VS CB

SUBJECT: LOAN OF RVN MONITORS TO KHMER NAVY

REFS : A. STATE 045242

B. STATE 058908

C. PHNOM PENH 4791

D. PHNOM PENH 4849

1. AS REQUESTED REF A, THE FOLLOWING IS THE TEXT OF THE DRAFT LOAN AGREEMENT ON THE FOUR RIVERINE MONITORS WHICH WE HAVE PREPARED AND TRANSMITTED TO THE VIETNAMESE NAVY. WE HAVE BEEN ASSURED THAT THE VIETNAMESE STAND READY TO TRANSFER THE VESSELS ONCE THE TIME IS PROPITIOUS.

BEGIN TEXT:

LOAN OF FOUR RIVERINE MONITORS (CONVERTED LCM-6) AND ASSOCIATED EQUIPMENT BY THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM TO THE GOVERNMENT OF THE KHMER REPUBLIC.

THIS LEASE, MADE AS OF , BETWEEN THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM (HEREINAFTER CALLED THE "LENDING SECRET

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GOVERNMENT") REPRESENTED BY AND THE GOVERNMENT

OF THE KHMER REPUBLIC (HEREINAFTER CALLED THE "BORROWING GOVERNMENT") REPRESENTED BY

WITNESSETH:

WHEREAS THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM HAS APPROVED THE LOAN OF FOUR RIVERINE MONITORS (CONVERTED LCM-6) WITH ASSOCIATED EQUIPMENT BY THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM TO THE GOVERNMENT OF THE KHMER REPUBLIC, AND

WHEREAS THE UNITED STATES SECRETARY OF DEFENSE, ACTING ON BEHALF OF THE PRESIDENT OF THE UNITED STATES, AND PURSUANT TO THE AUTHORIZATION CONTAINED IN PARAGRAPH (2) OF SUBSECTION 401(A) OF THE ARMED FORCES SUPPLEMENTAL APPROPRIATION AUTHORIZATION, 1966, AS AMENDED (P.L. 89-367, APPROVED ON MARCH 15, 1966, AS AMENDED), AND SUBSECTION 505(A) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, HAS CONSENTED TO SAID LOAN, AND

WHEREAS THE CONGRESS OF THE UNITED STATES OF AMERICA, PURSUANT TO SUBSECTION 505(E) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, HAS RAISED NO OBJECTION TO SAID LOAN,

NOW THEREFORE, THE PARTIES DO MUTUALLY AGREE AS FOLLOWS:

1. IN CONSIDERATION OF THE MAINTENANCE AND OTHER OBLIGATIONS ASSUMED BY THE BORROWING GOVERNMENT, THE LENDING GOVERNMENT HEREBY LENDS TO THE BORROWING GOVERNMENT, AND THE BORROWING GOVERNMENT HEREBY BORROWS FROM THE LENDING GOVERNMENT FOUR RIVERINE MONITORS (CONVERTED LCM-6) WITH ASSOCIATED EQUIPMENT FOR A PERIOD OF NOT LESS THAN SIX MONTHS AND NOT MORE THAN ONE YEAR UNLESS EXTENDED BY MUTUAL AGREEMENT OF THE TWO PARTIES.

2. THE LENDING GOVERNMENT SHALL DELIVER THE FOUR RIVERINE MONITORS WITH ASSOCIATED EQUIPMENT TO THE BORROWING GOVERNMENT AT SUCH TIME AND PLACE AS MAY BE MUTUALLY AGREED UPON. SUCH DELIVERY SHALL BE EVIDENCED BY A CERTIFICATE OF DELIVERY.

3. THE BORROWING GOVERNMENT SHALL USE THE VESSELS IN ITS EFFORTS TO REOPEN AND SECURE THE MEKONG RIVER AND WILL RETURN THEM TO THE LENDING GOVERNMENT WHEN NO LONGER REQUIRED.

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4. IN THE EVENT OF LOSS OR DESTRUCTION OF ANY OF THE BORROWED VESSELS, THE BORROWING GOVERNMENT WILL REPLACE IT WITH AN EQUAL NUMBER OF EQUIVALENT VESSELS UPON TERMINATION OF THE LOAN PERIOD AS MAY BE AVAILABLE FROM AMONG THOSE VESSELS PROVIDED UNDER THE UNITED STATES MILITARY ASSISTANCE PROGRAM TO THE BORROWING GOVERNMENT.

5. THE TEXT OF THE LETTER FROM THE UNITED STATES ASSISTANT SECRETARY OF DEFENSE (INTERNATIONAL SECURITY AFFAIRS) TO THE PRESIDENT OF THE UNITED STATES SENATE AND THE SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES, DATED FEBRUARY 25, 1975, HEREBY ANNEXED, SHALL BE CONSIDERED AN INTEGRAL PART OF THIS LOAN AGREEMENT.

IN WITNESS WHEREOF, EACH OF THE PARTIES HERETO HAS EXECUTED THIS LOAN AGREEMENT AS OF THE DAY AND YEAR FIRST ABOVE WRITTEN.

THE GOVERNMENT OF                      THE GOVERNMENT OF THE  
THE REPUBLIC OF VIET-NAM              KHMER REPUBLIC

BY.....                      BY.....

END TEXT.

2. IN RESPONSE TO REF B, WE ARE IN NO POSITION TO PROVIDE A DEFINITIVE ASSESSMENT OF HOW SOON THE MONITORS CAN BE USED IN OPENING THE MEKONG. REFS C AND D (PARA 2) STRIKE US, HOWEVER, AS A REALISTIC EVALUATION OF THE SITUATION. ON THE ASSUMPTION THIS IS THE CASE, I.E., THAT IT WILL BE AT LEAST SIX WEEKS BEFORE THE MONITORS COULD PROFITABLY BE EMPLOYED BY THE GKR, WE HAVE TOLD THE VIETNAMESE NAVY TO HOLD OFF NEGOTIATING THE LOAN AGREEMENT WITH THE GKR AND NOT TO EFFECT TRANSFER UNTIL WE HAVE CONSULTED FURTHER WITH THEM ON THE MEKONG SITUATION.  
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## Message Attributes

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